

PROCEEDINGS/MINUTES OF CITY COUNCIL

...April 2, 2015...

A Special Session of Council convened at 10:06 a.m., Mayor John Cranley Presiding. Present were Councilmembers Flynn, Murray, Seelbach, Smitherman, Winburn (In @11:10 a.m.) and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leave were disposed of as follows:

Councilmembers Mann, Simpson and Sittenfeld were excused.

MAYOR CRANLEY

Item #: 201500421

RESOLUTION, submitted by Mayor John Cranley, EXPRESSING the appreciation of the Mayor and the City Council of Cincinnati to the Fire Departments of the Cities of Columbus, Hamilton and Norwood, the City of Covington, Kentucky and Anderson, Delhi, Deerfield and Sycamore Townships, for their generous contribution of volunteer labor and support in covering the Cincinnati Fire Department's obligations during the funeral of fallen Fire Apparatus Operator Daryl Gordon.

Status/Recommendations:

PASS

*** PASSED 0026-2015

MR. MANN	A
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	A
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	A
MR. YOUNG	Y
MR. FLYNN	Y

MR. SEELBACH

Item #: 201500418

COMMUNICATION, dated 3/25/2015 submitted by Councilmember Seelbach, from Joseph Gorman, Community Organizer, Camp Washington Community Board, regarding the north ramp to I-75 from Hopple Bridge.

Status/Recommendations:

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

CITY MANAGER

Item #: 201500238

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/25/2015, authorizing the City Manager to execute a Sale Agreement with Schmidt Landing, LLC, an Ohio limited liability company, for the sale, at fair market value, of portions of the public right-of-way known as Brown Street, between Riverside Drive and Babb Alley in Cincinnati, to be used for the construction of market rate residential housing, which real property is not needed for any municipal purpose.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500373

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, regarding Special Permit Application for Run MS/Walk MS.

Status/Recommendations:

FILE

*** FILED

Item #: 201500385

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, regarding Department of Finance Report for the month ended February 28, 2015.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500389

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Nandini Oil LLC DBA (Not Listed), 700 Dalton Avenue. (#62978100005, New, C1, C2) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201500390

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for LMN Restaurant Group LLC DBA E & O Kitchen, 3520 Edwards Road. (#5245560, Transfer of Ownership, D5, D6) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201500391

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Sankirat LLC DBA Metro Mart, 7738 Reading Road. (#7730475, Transfer of Ownership, C1, C2, D6) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201500392

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for FOMK LLC DBA Café Mediterranean, 3518 Erie Avenue. (#2801383, Transfer Exempt, D1, D2, D3) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201500393

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for MMT Investments LLC DBA Pulse Night Club, 700 West Pete Rose Way. (#6212850, Transfer of Stock, D5, D6) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201500394

REPORT, dated 4/1/2015, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Club Glitter LLC DBA (Not Listed), 1133 Sycamore Street. (#1572475, Transfer of Ownership, D5) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201500384

RESOLUTION submitted by Harry Black, City Manager, on 4/01/2015, approving the Price Hill Plan dated January 7, 2015, as the guide for the focus area encompassed within the plan.

Status/Recommendations:
NEIGHBORHOODS COMMITTEE

CLERK OF COUNCIL

Item #: 201500402
COMMUNICATION, dated 3/25/2015 submitted by the Clerk of Council from Vice Mayor Mann, cancelling the 3:00 p.m., Friday, March 27, 2015, Special Session of City Council and rescheduling it to 10:00 a.m. the same day, Friday, March 27th.

Status/Recommendations:
FILE
*** FILED

Item #: 201500397
NOTICE, dated 3/30/2015 submitted by the Clerk of Council of Special Session Cincinnati City Council has rescheduled the meeting that was to be held on Wednesday, April 1, 2015 at 2:00 p.m. to a Special Session of Council on Thursday, April 2, 2015 at 10:00 a.m. 801 Plum Street, Room 300. The purpose of this Special Session is to discuss and act on all items referred to Council for consideration on April 2nd. The agenda will be published prior to the meeting. This Special Session of Council was called by Mayor John Cranley.

Status/Recommendations:
FILE
*** FILED

Item #: 201500399
NOTICE, dated 3/25/2015 submitted by the Clerk of Council of A Special Session of Cincinnati City Council has been called for Thursday, March 26, 2015 at 3:00 p.m. in Council Chambers, City Hall, 801 Plum Street, Room 300. The purpose of this Special Session is to consider and take action on the Menlo Avenue Document #210500358. The meeting was called by Vice Mayor Mann and Councilmember Seelbach.

Status/Recommendations:
FILE
*** FILED

Item #: 201500400
NOTICE, dated 3/25/2015 submitted by the Clerk of Council of a Special Session of Cincinnati City Council has been called for Friday, March 2015 at 3:00 p.m. in Council Chambers, City Hall, 801 Plum Street, Room 300. The purpose of this Special Session is to consider and take action on the Menlo Avenue Document #201500358. The meeting was called by Vice Mayor Mann and Councilmember Seelbach.

Status/Recommendations:

FILE
*** FILED

Item #: 201500401

NOTICE, dated 3/26/2015 submitted by the Clerk of Council, Cincinnati City Council has cancelled the Special Session of Council scheduled to be held on Friday, March 27th at 3:00 p.m. and has rescheduled the meeting for Friday, March 27th at 10:00 a.m. at City Hall, Council Chambers, 801 Plum Street, Room 300, Cincinnati, Ohio 45202. The purpose of the Special Session is to consider and take action on the Menlo Avenue IDC, Document #201500358. The meeting was called by Vice Mayor Mann and Councilmember Seelbach.

Status/Recommendations:

FILE
*** FILED

Item #: 201500415

NOTICE, submitted by the Clerk of Council from Vice Mayor Mann, Councilmembers Winburn, Smitherman, Flynn, Young and Seelbach of Cincinnati City Council has cancelled the Special Session scheduled for Friday, March 27, 2015 at 10:00 a.m.

Status/Recommendations:

FILE
*** FILED

Item #: 201500403

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Matthew James Davis, Consultant, President, 255 E. Fifth Street, Suite 1900, Cincinnati, Ohio 45202. (CINCYTECH)

Status/Recommendations:

FILE
*** FILED

Item #: 201500411

REGISTRATION, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Consultant, Vice President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (CITY CENTER PROPERTIES)

Status/Recommendations:

FILE
*** FILED

Item #: 201500412

REGISTRATION, submitted by the Clerk of Council from Legislative Agent James T. Benedict, Consultant, Vice President, Government Strategies Group, LLC, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (SUNESIS CONSTRUCTION COMPANY)

Status/Recommendations:

FILE
*** FILED

Item #: 201500413
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, Consultant, President, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (SUNESIS CONSTRUCTION CO.)

Status/Recommendations:
FILE
*** FILED

Item #: 201500398
REQUEST, submitted by the Clerk of Council from Mayor Cranley, Vice Mayor Mann, Councilmembers Sittenfeld, Flynn, Winburn, Murray, Young, Seelbach, Simpson and Smitherman, We would like to request that the City Council meeting scheduled to be held on Wednesday, April 1st at 2:00 p.m. be rescheduled for Thursday, April 2, 2015, 10:00 a.m., due to the services of FAO Daryl Gordon.

Status/Recommendations:
FILE
*** FILED

Item #: 201500404
STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for MaryLynn Lodor, Deputy Director of Water and Sewers.

Status/Recommendations:
FILE
*** FILED

Item #: 201500405
STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Edward P. Cunningham, Division Manager, Trade & Development.

Status/Recommendations:
FILE
*** FILED

Item #: 201500406
STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for William S. Fischer, Trade & Development\Economic Development Division Manager.

Status/Recommendations:
FILE
*** FILED

Item #: 201500407

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Oscar L. Bedolla, Director.

Status/Recommendations:

FILE

*** FILED

Item #: 201500408

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Russell E. Hairston, Trade & Development-Housing Division Manager.

Status/Recommendations:

FILE

*** FILED

Item #: 201500410

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Robert J. Schroer, Parking Supt.

Status/Recommendations:

FILE

*** FILED

Item #: 201500414

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Kimberly M. Proffitt, Law Department/Chief of Staff.

Status/Recommendations:

FILE

*** FILED

BUDGET AND FINANCE COMMITTEE

Item #: 201500302

ORDINANCE submitted by Harry Black, City Manager, on 3/11/2015, approving and authorizing the City Manager to execute a Community Reinvestment Area LEED Tax Exemption Agreement with Artichoke Properties, LLC, thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to real property located at 1824 Elm Street in the Over-the-Rhine neighborhood of Cincinnati in connection with the remodeling of the building located on the aforementioned property into a retail kitchenware store and two apartments units, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards (as defined by the U.S. Green Building Council) at a total remodeling cost of approximately

\$792,638.

*** Held on calendar.

Status/Recommendations:

PASS

Item #: 201500305

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/11/2015, authorizing the City Manager to execute a Property Sale and Development Agreement with Artichoke Properties, LLC for the sale and mixed-use redevelopment of certain City-owned property located at 1824 Elm Street, including an option to purchase the adjoining property at 1826 and 1828 Elm Street, in the Over-the-Rhine neighborhood of Cincinnati.

*** Held on calendar

Status/Recommendations:

PASS EMERGENCY

Item #: 201500328

ORDINANCE submitted by Harry Black, City Manager, on 3/18/2015, levying assessments for unpaid costs for necessary sidewalk, sidewalk area, curb and gutter construction, reconstruction and repairs conducted by the City of Cincinnati in the neighborhood of Spring Grove Village through its Sidewalk Safety Program, made in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

*** Held on calendar

Status/Recommendations:

PASS

Item #: 201500333

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/18/2015, authorizing City Manager to apply for, accept, and appropriate a grant in the amount of up to \$75,000 from the Ohio Department of Public Safety, Office of Criminal Justice Services for the purpose of funding a construction work zone enforcement program designed to reduce deaths and injuries in work zones within the city limits along Interstate 71 and Interstate 75.

*** Held on calendar

Status/Recommendations:

PASS EMERGENCY

Item #: 201500354

ORDINANCE submitted by Harry Black, City Manager, on 3/25/2015, authorizing the City Manager to enter into an agreement to cooperate with Hamilton County to complete the rehabilitation of Covedale Road from Foley Road to Rapid Run Road;

AUTHORIZING the City Manager to accept and appropriate up to \$75,000 from Hamilton County to capital improvement program project account no.

980x233x152308 "Street Rehabilitation" for the purpose of providing reimbursement for the expenses the City of Cincinnati incurs in rehabilitating Hamilton County's portion of Covedale Road.

*** Held on calendar
Status/Recommendations:
PASS

Item #: 201500361
ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/25/2015, authorizing a subordinate pledge of and lien on certain non-tax revenues and funds of the City to secure HUD Section 108 Loan funding in an amount not to exceed \$7,000,000 for the purpose of financing a portion of costs of the relocation of the Drop Inn Center.

*** Held on calendar
Status/Recommendations:
PASS EMERGENCY

Item #: 201500388
ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/30/2015, authorizing the City Manager to enter into an agreement to allow the City of Cincinnati to donate tools and small equipment worth approximately \$60,000 to Keep Cincinnati Beautiful, a nonprofit organization that works to decrease litter and blight and cultivates community pride through education and beautification, which tools and equipment Keep Cincinnati Beautiful will lend to neighborhood councils and other volunteer groups who participate in the City's private lot abatement program and general City beautification projects for use in clearing and maintaining lots and yards in the City of Cincinnati.

*** Held on calendar
Status/Recommendations:
PASS EMERGENCY

Item #: 201500355
REPORT, dated 3/30/2015, submitted by Harry Black, City Manager, regarding parking meter tickets revenue. (SEE DOCUMENT #201500119 FOR MOTION)

Status/Recommendations:
APPROVE & FILE
*** APPROVED AND FILED

ECONOMIC GROWTH & INFRASTRUCTURE COMMITTEE

Item #: 201500340
MOTION, dated 3/12/2015 submitted by the Clerk of Council, from Colin J. Kalvas, Bricker & Eckler, Attorneys at Law, 100 South Third Street, Columbus, Ohio 43215-4291, regarding submission of petition for the approval of a plan for the City of Cincinnati, Ohio Energy Special Improvement District.

Status/Recommendations:
APPROVE & FILE
*** ADOPTED

MR. MANN	A
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	A
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	A
MR. YOUNG	Y
MR. FLYNN	Y

Item #: 201500375

RESOLUTION, submitted by Paula Boggs, Muething, City Solicitor to Councilmember Smitherman on 3/24/2015, REQUESTING the Major League Baseball Commissioner Rob Manfred reinstate Pete Rose into Major League Baseball.

*** Held on calendar

Status/Recommendations:

PASS

Item #: 201500409

RESOLUTION, dated 3/30/2015 submitted by Councilmember Christopher Smitherman REQUESTING that Major League Baseball and Commissioner Rob Manfred recognize the records of players who participated in the Negro Leagues and, when appropriate, place Negro League players on the ballot for induction into the Hall of Fame.

*** Held on calendar

Status/Recommendations:

PASS

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201500330

COMMUNICATION, dated 03/13/2015, submitted by Councilmember Christopher Smitherman, from Lou H. Sirkin, Attorney, Santen & Hughes, regarding 2525 Victory Parkway, a chronic nuisance property.

Status/Recommendations:

APPROVE & FILE

*** APPROVED AND FILED

Item #: 201500365

ORDINANCE submitted by Harry Black, City Manager, on 3/25/2015, modifying the provision of Title XII, "Cincinnati Fire Prevention Code," of the Cincinnati Municipal Code by amending Section 1235-17, "Fire Department Communications Systems," to update the requirements for communications systems in tall buildings and therefore the Cincinnati Fire Department's ability to efficiently and safely respond to emergencies in such buildings.

*** Held on calendar

Status/Recommendations:

PASS

Item #: 201500351

RESOLUTION, submitted by Councilmember Christopher Smitherman from Paula Boggs Muething, City Solicitor, on 3/18/2015 EXPRESSING the strong support of the Mayor and the City Council of the City of Cincinnati for the approximately 200 residents of The Alms apartment building in Walnut Hills, in their ongoing efforts to ensure that their landlord, PE Alms Hill Realty, LLC, operates The Alms apartment building in a safe and sanitary manner, as required by local, state and federal law.

Status/Recommendations:

PASS

*** PASSED 0027-2015

MR. MANN	A
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	A
MR. SITTENFELD	A
MR. SMITHERMAN	Y
MR. WINBURN	A
MR. YOUNG	Y
MR. FLYNN	Y

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

Item #: 201500337

MOTION, 3/17/2015 submitted by Councilmembers Murray and Flynn, WE MOVE that the Administration prepare a comprehensive report detailing the ongoing capital expenditures what will be incurred for the Cincinnati Streetcar Project. These capital costs should be identified as separate from the normal operating and maintenance costs that will be funded through the Comprehensive Streetcar Operating Plan passed by Council via item #201401368. WE FURTHER MOVE that the Administration prepare a report advising Council of any funding sources that will be available to cover theses capital expenditures associated with the Cincinnati Streetcar Project once it is operational.

*** Held on calendar

Status/Recommendations:

ADOPT

Item #: 201500344

REPORT, dated 3/25/2015, submitted by Harry Black, City Manager, regarding Streetcar - January 2015 Monthly Report.

Status/Recommendations:

APPROVE & FILE

*** APPROVED & FILED